

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
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**** WARNING ** WARNING ** WARNING ** WARNING ****
This document is intended for informational purposes only.

Users are cautioned that California Department of Transportation (Department) does not assume any liability or responsibility based on these electronic files or for any defective or incomplete copying, excerpting, scanning, faxing or downloading of the contract documents. As always, for the official paper versions of the bidders packages and non-bidder packages, including addenda write to the California Department of Transportation, Plans and Bid Documents, Room 0200, P.O. Box 942874, Sacramento, CA 94272-0001, telephone (916) 654-4490 or fax (916) 654-7028. Office hours are 7:30 a.m. to 4:15 p.m. When ordering bidder or non-bidder packages it is important that you include a telephone number and fax number, P.O. Box and street address so that you can receive addenda.

May 19, 2004

01-DN-169-3.7/4.7
01-311714
ACBRSTP-S169(004)E

Addendum No. 1

Dear Contractor:

This addendum is being issued to the contract for construction on State highway in DEL NORTE COUNTY NEAR KLAMATH GLEN FROM 3.7 KM EAST OF ROUTE 101/169 SEPARATION TO 0.5 KM EAST OF TERWER CREEK BRIDGE.

Submit bids for this work with the understanding and full consideration of this addendum. The revisions declared in this addendum are an essential part of the contract.

Bids for this work will be opened on June 2, 2004.

This addendum is being issued to revise the Notice to Contractors and Special Provisions, and the Federal Minimum Wages with Modification Number 3 dated 5-7-04.

In the "NOTICE TO CONTRACTORS," paragraph seven is revised as follows:

"At the time this contract is awarded, the Contractor shall possess either a Class A license or a combination of Class C licenses which constitutes a majority of the work."

In the Special Provisions, Section 3. "SUBMISSION OF MBE/WBE/DVBE INFORMATION, TRIBAL EMPLOYMENT RIGHTS (TERO) PERMIT AND AWARD AND EXECUTION OF CONTRACT", Section 3-1.01, "GENERAL" is deleted.

In the Special Provisions, Section 3. "TRIBAL EMPLOYMENT RIGHTS (TERO) PERMIT AND AWARD AND EXECUTION OF CONTRACT", is added as attached.

Addendum No. 1
Page 2
May 19, 2004

01-DN-169-3.7/4.7
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To Proposal and Contract book holders:

Indicate receipt of this addendum by filling in the number of this addendum in the space provided on the signature page of the proposal.

Submit bids in the Proposal and Contract book you now possess. Holders who have already mailed their book will be contacted to arrange for the return of their book.

Inform subcontractors and suppliers as necessary.

This office is sending this addendum by confirmed facsimile to all book holders to ensure that each receives it. A copy of this addendum and the modified wage rates are available for the contractor's use on the Internet Site:

http://www.dot.ca.gov/hq/esc/oe/weekly_ads/addendum_page.html

If you are not a Proposal and Contract book holder, but request a book to bid on this project, you must comply with the requirements of this letter before submitting your bid.

Sincerely,

ORIGINAL SIGNED BY

REBECCA D. HARNAGEL, Chief
Office of Plans, Specifications & Estimates
Office Engineer

Attachment

SECTION 3. TRIBAL EMPLOYMENT RIGHTS (TERO) PERMIT AND AWARD AND EXECUTION OF CONTRACT

The bidder's attention is directed to the provisions in Section 3, "Award and Execution of Contract," of the Standard Specifications and these special provisions for the requirements and conditions concerning award and execution of contract.

Bid protests are to be delivered to the following address: Department of Transportation, MS 43, Attn: Office Engineer, 1727 30th Street, Sacramento, CA 95816 or by facsimile to the Office Engineer at (916) 227-6282.

The apparent successful bidder (low bidder) shall submit an approved copy of the TERO Highway Contract Permit (THCP) to the Department of Transportation, 1120 N Street, Room 200, Sacramento, California 95814, so the THCP is received by the Department no later than close of business on Friday of the week following bid opening. The THCP sent by certified mail and postmarked on or before Wednesday of the week following bid opening will be accepted even if it is received after Friday of the week following bid opening. Failure to submit the required THCP by the time specified will be grounds for finding the bid or proposal non-responsive. Other bidders need not submit the THCP unless requested to do so by the Department. When such request is made, the THCP of such bidder shall be submitted within ten days, unless a later time is authorized by the Department.

The award of the contract, if it be awarded, will be made within 30 days after the opening of the proposals if the apparent lowest bidder has met the goal for DBE participation. The award of the contract, if it be awarded, will be made within 60 days after the opening of the proposals if the apparent lowest bidder has not met the goal for DBE participation but has claimed good faith efforts to do so. These periods will be subject to extension for such further periods as may be agreed upon in writing between the Department and the bidders concerned. The award, if made, will be to the lowest responsible bidder whose proposal complies with all the requirements prescribed and who has met the goal for DBE participation or has demonstrated, to the satisfaction of the Department, adequate good faith efforts to do so. Meeting the goal for DBE participation or demonstrating, to the satisfaction of the Department, adequate good faith efforts to do so is a condition for being eligible for award of contract.

The contract shall be executed by the successful bidder and shall be returned, together with the contract bonds, to the Department so that it is received within 10 days, not including Saturdays, Sundays and legal holidays, after the bidder has received the contract for execution. Failure to do so shall be just cause for forfeiture of the proposal guaranty. The executed contract documents shall be delivered to the following address: Department of Transportation MS 43, Attn: Office Engineer, 1727 30th Street, Sacramento, CA 95816.

A "Payee Data Record" form will be included in the contract documents to be executed by the successful bidder. The purpose of the form is to facilitate the collection of taxpayer identification data. The form shall be completed and returned to the Department by the successful bidder with the executed contract and contract bonds. For the purposes of the form, payee shall be deemed to mean the successful bidder. The form is not to be completed for subcontractors or suppliers. Failure to complete and return the "Payee Data Record" form to the Department as provided herein will result in the retention of 31 percent of payments due the contractor and penalties of up to \$20,000. This retention of payments for failure to complete the "Payee Data Record" form is in addition to any other retention of payments due the Contractor.